

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statements (dated October 21, 2010 and November 23, 2010) were in compliance with the provisions of 37 CFR 1.97 and 37 CFR 1.98. The statements were considered. Signed copies of form 1449 are enclosed herewith.

Terminal Disclaimer

2. The terminal disclaimer filed on November 16, 2010 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US 7,189,750 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Response to Amendment

3. The amendments and remarks filed on November 16, 2010 have been fully considered. The obviousness type double patenting rejection has been obviated and is thus hereby withdrawn. The 35 USC 102 rejection is withdrawn.

REASONS FOR ALLOWANCE

4. The following is an examiner's statement of reasons for allowance: the claimed compounds are novel and non-obvious over the prior art because of the core structure of thiazole linked to heteroaryl through variable A and to NO₃ via ethylene.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUN JAE Y. LOEWE whose telephone number is (571)272-9074. The examiner can normally be reached on M-F 7:30-5:00 Est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph McKane can be reached on (571)272-0699. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sun Jae Y. Loewe/
2-10-2011